



STAFF REPORT

HEARING DATE: September 26, 2012

TO: Planning Commission

FROM: Jana Fox, Associate Planner

PROPOSAL: **Forest Glen Subdivision & PUD**

LOCATION: Assessor's Map # 1S128CC Tax Lots 1900 & 2000
Assessor's Map # 1S133BB Tax Lots 1000 & 1100

ZONING: Urban Standard Density Residential (R5)

SUMMARY: The applicant, Polygon NW, proposes an 82 lot Planned Unit Development with associated streets and open spaces. Applications include a Conditional Use (Planned Unit Development), a Land Division (Preliminary Subdivision), a Sidewalk Design Modification, and a Tree Plan Two.

APPLICANT: Polygon Northwest
109 East 13th Street
Vancouver, WA 98660

PROPERTY OWNERS: Saxony Pacific LLC
PO Box 23562
Portland, OR 97209

St. Cecelia Church
5105 SW Franklin Ave
Beaverton, OR 97008

Pauline Freebeck Trust
14300 SW Weir Road
Beaverton, OR 97008

Ole & Florence Herwick
14400 SW Weir Road
Beaverton, OR 97008

APPLICANT'S REPRESENTATIVE: MGH Associates, Inc
104 West 9th Street, Suite 207
Vancouver, WA 98660

RECOMMENDATIONS:

CU2012-0008 (Forest Glen Subdivision & PUD):

Approval subject to conditions identified at the end of this report.

LD2012-0007 (Forest Glen Subdivision & PUD):

Approval subject to conditions identified at the end of this report.

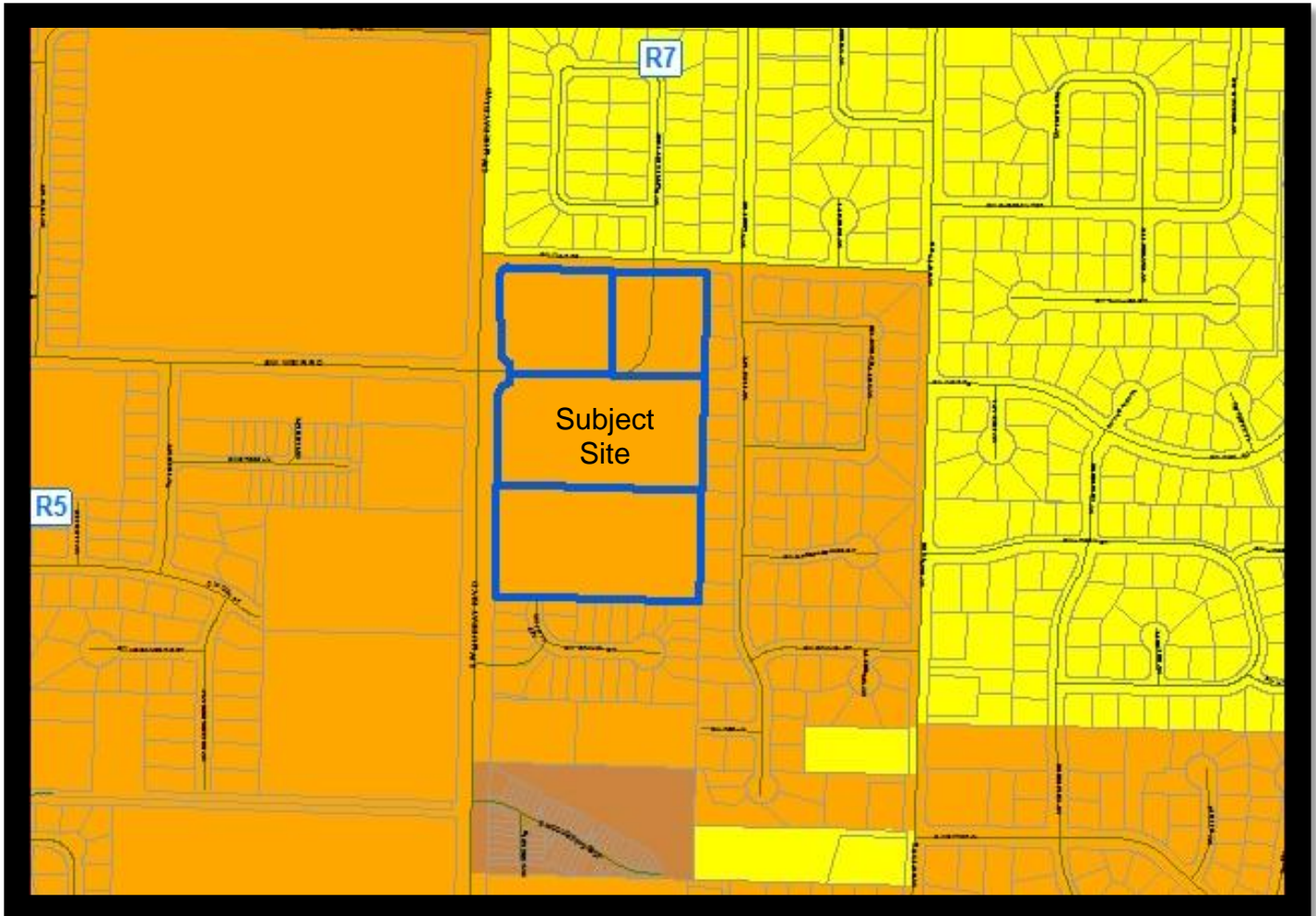
SDM2012-0003 (Forest Glen Subdivision & PUD):

Approval subject to conditions identified at the end of this report.

TP2012-0007 (Forest Glen Subdivision & PUD):

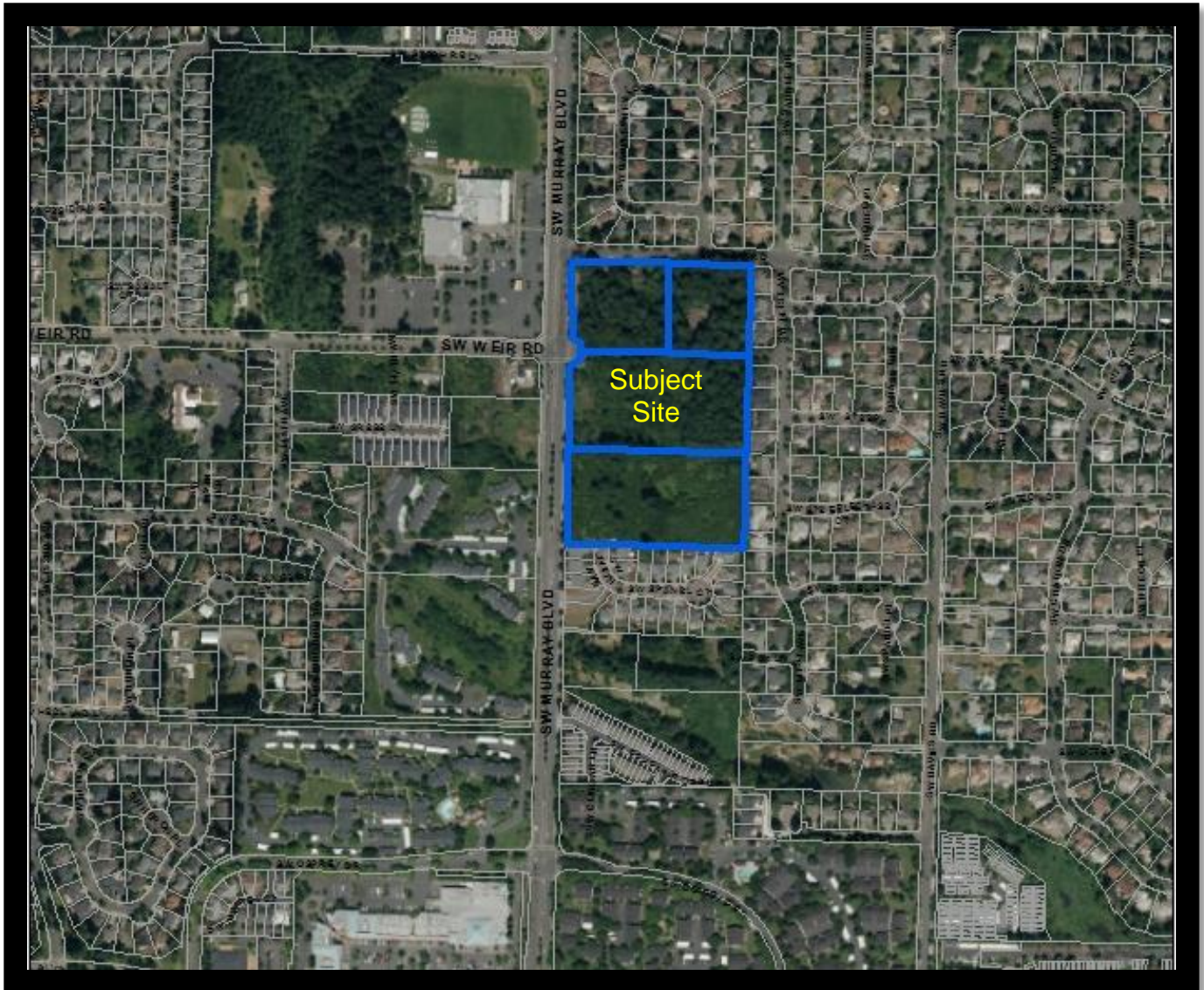
Approval subject to conditions identified at the end of this report.

Vicinity Map



Forest Glen Subdivision & PUD
CU2012-0008, LD2012-0007, SDM2012-0003, TP2012-0007

Aerial Map



Forest Glen Subdivision & PUD
CU2012-0008, LD2012-0007, SDM2012-0003, TP2012-0007

BACKGROUND FACTS

Key Application Dates

<u>Application</u>	<u>Submittal Date</u>	<u>Deemed Complete</u>	<u>Final Written Decision Date</u>	<u>240-Day*</u>
CU2012-0008	July 23, 2012	August 15, 2012	December 13, 2012	April 19, 2013
LD2012-0007	July 23, 2012	August 15, 2012	December 13, 2012	April 19, 2013
SDM2012-0003	July 23, 2012	August 15, 2012	December 13, 2012	April 19, 2013
TP2012-0007	July 23, 2012	August 15, 2012	December 13, 2012	April 19, 2013

* Pursuant to Section 50.25.8 of the Development Code this is the latest date, without a continuance, by which a final written decision on the proposal can be made.

Existing Conditions Table

Zoning	Urban Standard Density Residential (R5)	
Current Development	The site consists of four oversized tax lots. Two tax lots contain existing single family dwellings.	
Site Size & Location	13.4 Acres	
NAC	South Beaverton	
Surrounding Uses	<u>Zoning:</u> North: Urban Standard Density (R7) South: Urban Standard Density (R5) East: Urban Standard Density (R5) West: Urban Standard Density (R5)	<u>Uses:</u> North: Detached Housing South: Detached Housing East: Detached Housing West: Detached Housing

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Exhibits

Exhibit 1. Materials submitted by Staff

- Exhibit 1.1 Detail Map (page 3 of this report)
- Exhibit 1.2 Aerial Map (page 4 of this report)

Exhibit 2. Materials submitted by the Applicant

Exhibit 3. Public Comment

- Exhibit 3.1 Email from Dave & Janet Edwards, dated Saturday September 8, 2012
- Exhibit 3.2 Email from Barbara Robertson, dated September 9, 2012
- Exhibit 3.3 Email from Joe Edwards, dated September 13, 2012
- Exhibit 3.4 Email from Linda Wilson, dated September 13, 2012
- Exhibit 3.5 Letter from Leslie & Alan Polaski, received September 17, 2012
- Exhibit 3.6 Email from Dena Tensa, dated September 17, 2012
- Exhibit 3.7 Letter from THPRD, dated September 17, 2012
- Exhibit 3.8 Email from Janet & Jim Kusyk, dated September 17, 2012

- Exhibit 3.9 Email from Robert & Kay Erikson, dated September 18, 2012
- Exhibit 3.10 Email from Kerry Greeley, dated September 18, 2012
- Exhibit 3.11 Letter from James Jandacek, dated September 18, 2012
- Exhibit 3.12 Letter from Brian Martin, dated September 18, 2012
- Exhibit 3.13 Email from Patrick Hastings, dated September 19, 2012

*Given the submittal dates of the majority of public comment staff will provide a supplemental memorandum addressing relevant issues raised in public testimony prior to the public hearing.

**FACILITIES REVIEW COMMITTEE
TECHNICAL REVIEW AND RECOMMENDATIONS
Forest Glen Subdivision & PUD
CU2012-0008 / LD2012-0007 / SDM2012-0003 / TP2012-0007**

Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Staff Report, the Facilities Review Conditions may be re-numbered and placed in a different order.

The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings, below.

The Facilities Review Committee Criteria for Approval will be reviewed for all criteria that are applicable to the submitted applications as identified below:

- **All twelve (12) criteria are applicable to the submitted Conditional Use (Planned Unit Development) and Land Division (Preliminary Subdivision) applications as submitted.**
- **Facilities Review criteria do not apply to the Sidewalk Design Modification and Tree Plan Two applications.**

A. All critical facilities and services related to the development have, or can be improved to have, adequate capacity to serve the proposal at the time of its completion.

Chapter 90 of the Development Code defines "critical facilities" to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection. The Committee finds that the proposal includes necessary on-site and off-site connections and improvements to public water, public sanitary sewer and storm water drainage facilities.

Water Service will be provided to the site by the City of Beaverton. The development proposes to connect into the existing 8-inch water line in SW Weir Road, to serve the site. Adequate capacity exists to serve the proposed development.

Development of the subject site involves the extension of the gravity sanitary sewer line to connect to the existing 8-inch sewer line in SW Murray Boulevard. Adequate capacity exists to serve the proposed development.

Proposed stormwater drainage has been identified and described in the applicant's narrative and plans. The applicant states that collected storm water will be treated within the existing treatment facility south of Forest Glen which discharges to Summer Creek and associated wetlands. The applicant has submitted a preliminary drainage report (Exhibit L of the materials package). The Committee finds the report and associated utility plans to be adequate in addressing the site's on-site surface water management (drainage patterns, treatment and quantity control).

To ensure appropriate design and construction of the essential facilities, including but not limited to utility connections, access to manholes and structures, maintenance requirements, and associated construction and utility phasing plans, the Committee recommends conditions of approval through both the Conditional Use and Land Division applications. In order to comply with the Oregon Revised Statutes for subdivision platting, a condition of approval is recommended with the land division application where, prior to the final plat approval, the applicant/developer must substantially complete the site development improvements as determined by the City Engineer to provide essential public services to each lot and to allow verification that the location and width of proposed rights-of-way and easements are adequate for the completed infrastructure, per adopted City standards.

The proposal includes a Traffic Impact Analysis (TIA), dated July 19, 2012 prepared by Kittelson & Associates. The existing transportation facilities can be improved to serve the proposal at the time of its completion. Improvements include right-of-way dedication, sidewalk and bike lane improvements, and traffic control measures. Staff has reviewed the proposal and concurs with the proposed off-site improvements, as described in the TIA. On September 4, 2012 the applicant submitted a request for engineering design modification (to proposed streets). The request is under review at this time by the City Engineer. For the purpose of satisfying Criterion A (above), staff finds that all transportation facilities can be improved to have adequate capacity to serve the proposal at the time of its completion.

The applicant proposes connections to SW Spaniel Court and the existing stub at SW 141st Avenue. In order to lessen the impact of construction traffic on the adjacent neighborhood staff recommends a condition of approval that SW Spaniel Court and SW 141st Avenue remain closed to through traffic until the final occupancy permits have been issued for 75% of the housing units.

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). Comments and conditions of approval have been received from TVF&R. Conditions of approval submitted by TVF&R are included herein. Staff also cites the findings for Criterion H hereto regarding fire prevention.

The Committee finds that the development will provide required critical facilities, as conditioned. Therefore, the Committee finds the proposal meets the criterion for approval.

FINDING: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

B. Essential facilities and services are available, or can be made available, with adequate capacity to serve the development prior to occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both will be provided to serve the proposed development within five years of occupancy.

Chapter 90 of the Development Code defines “essential facilities” to be services that include schools, transit improvements, police protection, and pedestrian and bicycle facilities in the public right-of-way. The applicant’s plans and materials were forwarded to City Transportation staff, City Police Department, and Tualatin Valley Fire and Rescue. The applicant provided a service provider letter from Beaverton School District showing moderate impact of the development on elementary, middle, and high schools.

The site will be served by the Tualatin Hills Park and Recreation (THPRD). The applicant has expressed interest in THPRD acquiring the proposed public park. Staff understands that THPRD is receptive to this proposal. However, as the date of transference is unknown, staff recommends a condition of approval that the plat identify the park as being the responsibility of the Forest Glen homeowners association until such time as it is transferred to THPRD to ensure that the park is adequately maintained.

Similarly to the park tract, the applicant proposes to transfer ownership and maintenance responsibilities of the wetland area to Clean Water Services (CWS). At this time no agreement has been provided to the City to CWS to own or maintain the wetland area. Staff recommends a condition of approval that the plat identify the wetland as being the responsibility of the Forest Glen homeowners association until such time as it is transferred to CWS to ensure that it is adequately maintained.

The City of Beaverton Police will serve the development site. The Police Department has submitted no comments or recommendations to the Facilities Review Committee.

The Beaverton School District has provided comments addressing the anticipated impacts of the subject project on the District that are attached to the end of this report. To summarize their comments, the District has indicated that the proposal will result in a moderate impact to schools in the area.

The development plan was routed to Tri-Met for review. To date, Tri-Met has not provided comments or recommendations in response to the proposal. The site is most directly served by bus line 62 on SW Murray Boulevard as well as bus line 92 on SW Murray Boulevard which provides express rush-hour service to downtown Portland on weekdays. Along the project site frontage of SW Murray Boulevard is an existing stop and pull-out for buses. The stop and pull-out will remain where existing. Tri-Met has not identified the need for additional transit stops related to this development.

SW Murray Boulevard, adjacent to the subject site contains bike lanes and sidewalks. SW Weir Road to the west of SW Murray Boulevard contains sidewalks and bike lanes. As proposed, the new eastern extension of SW Weir Road, shown to continue east from the intersection of SW Weir Road and SW Murray Boulevard, is not designed for bike lanes. Staff notes that this street segment does comply with street standards in Chapter 2 of the City Engineering Design Manual (EDM) for Collector Class streets. Without approval of a Street Design Modification, staff recommends a condition of approval requiring this section of SW Weir Road to include bike lanes (both sides) in accordance with the EDM standards. As previously stated, the request to modify certain street standards is under review at this time by the City Engineer.

FINDING: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

C. The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject proposal. ...

Staff cites the Code Conformance Analysis chart at the end of this report, which evaluates the project as it relates the applicable Code requirements of Chapter 20 for the Urban Standard Density (R5) zone as applicable to the above mentioned criteria. As demonstrated on the chart, the development proposal meets all applicable standards of the zone or will be evaluated through the Conditional Use-PUD process which allows for modifications to the site development standards of Chapter 20. No Variance or Adjustment applications were submitted with this proposal.

FINDING: Therefore, the Committee finds that the proposal meets the criterion.

D. The proposed development is consistent with all applicable provisions of Chapter 60 (Special Regulations) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Regulations), are provided or can be provided in rough proportion to the identified impact(s) of the proposal.

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60, in response to the above mentioned criteria. Staff will provide findings for the applicable Land Division and Planned Unit Development (PUD) within the applicable sections of the staff report addressed to the Planning Commission.

At this time, the street system proposal for this development does not meet a number of provisions as contained in Section 60.55 of the Development Code. Specifically, the applicant and staff have identified certain inconsistencies with standards identified subsections 60.55.10 (General Provisions), 60.55.25 (Street and Bicycle and Pedestrian Connection Requirements), 60.33.30 (Minimum Street Widths) and Section 60.55.35 (Access Standards). In addition to subdivision and PUD proposal, the applicant has

requested a Sidewalk Design Modification application for proposed changes to the planter strip and sidewalk width throughout the development. Staff findings related to this application will be addressed in the Staff Report. As previously stated, the request to modify certain street standards (as contained in the City EDM) is under review at this time by the City Engineer.

At this time, the proposal does not currently meet all of the criteria in Section 60.55.25 Street and Bicycle and Pedestrian Connection Requirements. Additionally, the proposal does not include a required bicycle connection per the Comprehensive Plan. The Comprehensive Plan identifies a collector street that connects SW Weir Road west of SW Murray Boulevard to SW Weir Road east of SW Murray Boulevard. The Beaverton Engineering Design Manual requires that bike lanes be included in the design of new collector streets.

At this time, the proposal does not meet all criteria as contained in Section 60.55.30 Minimum Street Widths. The Comprehensive Plan shows a collector street extending from SW Weir Road west of SW Murray Boulevard to SW Weir Road east of SW Murray Boulevard. The proposed street connection shows a local street design with no bike lanes and a road curvature (within the site) that does not meet the 35 mph street design, consistent with the Engineering and Design Manual. Furthermore, the proposed curb radii do not meet the required 25 mph design for all the proposed local street intersections.

In order to receive approval, the proposal must either be revised to meet all applicable *Engineering Design Manual* street standards or receive engineering design modification approval by the City Engineer. A design modification request was included with the proposal per Chapter 145 of the *Engineering Design Manual*. The request was submitted on September 4, 2012 and is pending City Engineer review and action. Staff recommends a condition of approval that requires these streets to meet requirements of the Engineering Design Manual or receive approval for modifications as requested, or as approved.

Transportation staff recommends a condition of approval requiring the applicant to provide the joint-use and maintenance agreement for common driveways prior to issuance of the City Site Development Permit, in conformance with EDM requirements.

The proposal meets the criteria in Section 60.55.40 Transit Facilities. Comments from Tri-Met are important to the City's decision and are considered prior to facilities review approval. No comments were received from Tri-Met regarding this proposal. The site is found to be adequately served by existing facilities. No additional transit facilities are required.

The proposal meets Sections 60.55.20 Traffic Impact Analysis. The proposal includes a Traffic Impact Analysis (TIA), dated July 19, 2012 prepared by Kittelson & Associates. Staff has reviewed the proposal's TIA and concurs with the proposed mitigation measures, which include:

- The addition of a fourth leg to the signalized intersection of SW Murray Boulevard at SW Weir Road.
- The modification of signage and pavement markings along the eastbound approach of SW Weir Road west of Murray Boulevard to reflect provision of a single left-turn lane and a shared through/right lane (convert exclusive right-turn lane to a shared through/right lane).
- To accommodate a westbound approach at the intersection, addition of the following:
 - Left-turn control on the southbound approach.
 - Westbound traffic signal control.
 - Pedestrian pushbuttons, signal indications, and crosswalks.
 - Traffic signal detection and fire pre-emption capabilities for the new westbound approach.
 - Left-turn signing on the SW Weir Road approaches if permissive signal control is retained.
 - Maintenance of shrubbery, landscaping and any above ground utilities near the internal intersections and site access points to ensure adequate intersection sight distance.

Compliance with the proposed mitigation measure shall be recommended as a condition of approval.

Washington County is responsible for maintaining SW Murray Boulevard (Arterial class). The applicant's TIA has been reviewed by Washington County's Department of Land Use and Transportation. To this document, staff acknowledges the comments received from Washington County in their memorandum dated September 6, 2012, with specific comments from the County Traffic Engineer dated September 7, 2012. To the memo of September 6, the County identifies the new eastern extension of SW Weir Road as part of their Transportation Plan (a Collector 2-3 lanes). The County also identifies permits as required (a Washington County Facilities Permit for street improvements as proposed). Additionally, the County Traffic Engineer would like the existing SW Weir Road (east approach to the east side of SW Murray Boulevard) to be restricted to right-in/right out. Specifically, the recommendation is to extend the raised median on SW Murray Boulevard (to the south) to restrict the STOP-controlled SW Weir Road (westbound approach) to a right-in/right-out access only. Also, the County Traffic Engineer identifies the need for closing the current access to SW Spaniel Court from SW Murray Boulevard. The method for closing this access is not identified. However, staff notes that the applicant's development plan will provide an internal street connection to the existing north stub of SW Spaniel Court. With this connection, residents of homes along SW Spaniel Court will have an alternative access available. The existing access via SW Murray Boulevard will no longer be necessary. The plat for the Spaniel Court area shows a temporary access easement over lots 21 and 22 until such time as physical improvements have been constructed for egress and ingress to all lots in Steeplechase Village. The proposed Forest Glen development will provide full and legal egress and ingress to the lots on Spaniel Court. Staff recommends a condition of approval that prior to Site Development permit issuance that the applicant provide a copy of the issued Washington County Right-of-Way permit.

To meet the requirements of Section 60.65, staff recommends a standard condition of approval requiring that utility lines are placed underground.

FINDING: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

E. Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage ditches, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities not subject to maintenance by the City or other public agency.

The applicant's narrative provides a table showing all proposed tracts, the purpose of the tracts, as well as square footage of the tracts. The applicant states that all common facilities and open spaces will be maintained by THPRD, CWS, or the HOA. Staff suggests a condition of approval that states that until such time as maintenance or ownership responsibilities are transferred to CWS or THPRD, the HOA is responsible for maintaining all tracts. Additionally, the HOA will be responsible for maintaining all private streets and alleys. These private streets and alleys are identified on Sheet 9 of the plan set. Staff finds that the design of common open spaces, private streets and tracts, as proposed, does not preclude the means for adequate maintenance.

FINDING: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

F. There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.

The site will have safe and efficient vehicular and pedestrian circulation patterns, in conformance with Development Code Section 60.55.25 subject to conditions of approval requiring conformance with the EDM or approval of an Engineering Design Modification for areas where the proposal differs from the EDM and Development Code standards. The proposed pedestrian circulation system connects all parts of the development in a safe, efficient, and direct manner.

FINDING: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

G. The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.

The site's vehicular and pedestrian circulation system connects to the surrounding circulation system in a safe, efficient, and direct manner. Staff recommends a condition of approval requiring conformance with the EDM or approval of an Engineering Design Modification for areas where the proposal differs from the EDM and Development Code standards in order to ensure safe and efficient circulation systems. Staff notes that one private street is proposed (Drive A). Access to this street is shown from SW Weir Road. Drive A is the only street with no connection to the surrounding circulation system. At the terminus of this street, the plan does not show how vehicles are expected to turn-around. Where the drive is shown to serve eight lots, staff recommends the addition of a turn-around which will accommodate vehicles such as garbage trucks and ambulances.

FINDING: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

H. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.

Preliminary comments and conditions of approval have been received from Tualatin Valley Fire and Rescue District (TVF&R). Specific details regarding fire flow and hydrant placement will be reviewed for flow calculations and hydrant locations during site development and building permit stages.

The Committee concludes that, subject to meeting the conditions of approval the site can be designed in accordance with City codes and standards and provide adequate fire protection.

FINDING: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

I. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from hazardous conditions due to inadequate, substandard or ill-designed development.

The applicant proposes public street lights. By meeting the City of Beaverton's Engineering Design Manual design standards for street lights, the Committee finds that the street illumination system will provide adequate protection from crime and accident.

The committee recommends a number of conditions pertaining to streets, as explained under criterion D.

The Committee finds that review of the construction documents at the building and site development permit stages will ensure protection from hazardous conditions due to inadequate, substandard or ill-designed development.

FINDING: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

J. Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.

The applicant's response to J states that grading and contouring of the site are proposed to achieve the development plan. Nine retaining walls of various lengths and heights are proposed on the subject site in order to address grades differential standards as contained in Section 60.15.10 of the Development Code. The applicant has provided a number of cross sections of grades at the property lines, including areas of steeper slopes. The finished grades for lots proposed along the southern property line will generally be higher in elevation than the existing grade of lots to the south. Along the eastern property line, the opposite is generally true, where lots are generally located at a similar grade elevation or lower than the existing grade of adjacent lots. Specific grading along the property line will be addressed in the Land Division staff report section.

The applicant must show compliance with Site Development erosion control measures at the time of Site Development permit issuance. Sheets 10 and 14 of the applicant's plans identify all proposed grades and utility connections. In review of the plans and materials submitted to the City, staff finds the site to be designed to accommodate the proposed use and to mitigate adverse effects on neighboring properties, the public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.

FINDING: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

K. Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.

The applicant will be required to meet all applicable accessibility standards of the International Building Code, Fire Code and other standards as required by the American Disabilities Act (ADA). Conformance with the technical design standards for Code accessibility requirements are to be shown on the approved construction plans associated with Site Development and Building Permit approvals. The Committee finds that as proposed, the street sidewalks and walkways internal to the development appear to meet applicable accessibility requirements and through the site development and building permitting reviews will be thoroughly evaluated. Therefore, the Committee finds

that by meeting the conditions of approval, the site will be in conformance with ADA requirements, and would thereby be in conformance with Development Code Section 60.55.65 and the criterion will be met.

FINDING: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion for approval.

L. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.

The applicant submitted the applications on July 23, 2012 and was deemed complete on August 15, 2012. In the review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

FINDING: Therefore, the Committee finds the proposal meets the criterion for approval.

Code Conformance Analysis

Chapter 20 Use and Site Development Requirements

Urban Standard Density (R5) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.05.20 (Urban Standard Density R5)			
Use- Permitted	Detached Dwellings	Detached Dwellings	Yes
Development Code Section 20.05.15 (Urban Standard Density R5)			
Minimum Lot Area	5,000 sq. ft.	Adjusted with PUD	See CUP staff report.
Minimum Corner Lot Dimensions Width Depth	none none	n/a n/a	See CUP staff report.
Minimum Yard Setbacks Front Side Rear Garage Garage Door to Rear Minimum Between Buildings	15' 5' 20' 20' 24' 6'	Through the CUP-PUD process the parent parcels are subject to the minimum yard setbacks of the zone	See CUP staff report.
Maximum Building Height	35 feet	Adjusted with PUD	See CUP staff report.
Development Code Section 20.25.05 – Density Calculations			
Minimum Residential Density	Minimum Density: 46 units Maximum Density: 117 units	The applicant proposes 82 units which is greater than the minimum density and less than the maximum density for the site.	Yes

Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	Design Review is not applicable to single family dwellings.	N/A
Development Code Section 60.07			
Drive-Up window facilities	Requirements for drive-up, drive-through and drive-in facilities.	No drive-up window facilities are proposed.	N/A
Development Code Section 60.10			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	No mapped floodplains are located within the subject site.	N/A
Development Code Section 60.12			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No request for credits identified	N/A
Development Code Section 60.15 – Land Division Standards			
Land Division Standards	Standards pertaining to Land Divisions	A Land Division-Preliminary Subdivision application has been applied for.	See LD Findings
Development Code Section 60.25 – Off Street Loading			
Loading Facilities	No loading facilities are required for this use.	No loading facilities are proposed	N/A
Development Code Section 60.30 – Off-Street Parking			
Off-street motor vehicle parking Parking Zone A	<u>Detached Dwellings</u> 1 space per unit= 82 spaces min No Maximum for Detached Dwellings	<u>Detached Dwellings</u> 164 garage or carport spaces 90 driveway spaces 95 on-street parallel spaces	YES
Required Bicycle Park	No bicycle parking is required for detached dwellings.	No bicycle parking is required for detached dwellings	
Compact Spaces	Required residential parking must be provided at standard sizes.	No compact spaces are provided.	N/A

Development Code Section 60.55 - Transportation			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to Facilities Review Committee findings herein.	Yes- with COA
Development Code Section 60.60			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	A Tree Plan Two application has been applied for, for the removal of community trees from the subject site.	See TP Findings
Development Code Section 60.65			
Utility Undergrounding	All existing overhead utilities and any new utility service lines within the project and along any existing frontage, except high voltage lines (>57kV) must be placed underground.	The applicant states that all proposed power and telecommunications lines will be placed underground. To ensure the proposal meets requirements of this section, staff recommends a condition requiring undergrounding completion prior to occupancy.	Yes- with COA

RECOMMENDATION

The Facilities Review Committee finds that the proposal complies with all the technical criteria. The Committee recommends that the decision-making authority **APPROVE** the **Forest Glen Subdivision & PUD (CU2012-0008, LD2012-0007, SDM2012-0003, TP2012-0007)**, and adopt the conditions of approval identified in Attachment F.

**CU2012-0008
ANALYSIS AND FINDINGS FOR
CONDITIONAL USE APPROVAL**

Section 40.15.05 Conditional Use Applications; Purpose

The purpose of a Conditional Use application is to review uses that may be compatible in the underlying zoning district, but, because of their size, operation, or other characteristics, require review on a case-by-case basis. These uses are subject to the regulations in the Section because they may, but do not necessarily, result in significant adverse effects upon the environment, overburden public services, alter the character of the surrounding area or create nuisances. Conditional uses may be approved, approved with site-specific conditions designed to minimize or mitigate identified adverse impacts, or denied. ... This Section is carried out by the approval criteria listed herein.

Section 40.15.15.4.C New Conditional Use Approval Criteria:

In order to approve a PUD application, the Planning Commission shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The proposal satisfies the threshold requirements for a PUD application.*

The applicant proposes an 82 lot subdivision and PUD with associated open spaces and natural features. As the subject site is greater than two (2) acres in size and located in a residential zone the applicant meets threshold 1.a.

1. *May be chosen by the applicant when one or more of the following thresholds apply:*
 - a. *The Planned Unit Development (PUD) may be applied to Commercial, Industrial, Multiple Use, and Residential properties that are 2 acres or greater in size within any City zoning district.*

Therefore, staff find the proposal meets the criterion for approval.

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

The applicant paid the required fee associated with a Conditional Use (Planned Unit Development) application.

Therefore, staff find the proposal meets the criterion for approval.

3. *The proposal meets the Site Development Requirement for setbacks within the applicable zoning district for the perimeter of the parent parcel unless otherwise provided by Section 60.35.03.*

The applicant proposes to meet the Site Development setbacks for the perimeter of the development site, for this development all four parcels are considered as one development site. The applicant has identified SW Murray Boulevard to the west as the front yard, the north and south perimeters are considered side yards and the east property line as the rear yard. The subject site is located in the R5 zoning district and is subject to the following setbacks, as identified in Section 20.05.15.F of the Development Code: Fifteen (15) foot front yard setback, five (5) foot side yard setback, and twenty (20) foot rear yard setback. The applicant proposes a 15 foot rear and side yard setback as well as a 20 foot rear yard setback. Section 60.35.10.3.A.1 (PUD-Setbacks) requires that for new development that abuts existing development the setback for the new development shall be no less than fifteen (15) feet which is greater than the minimum required for side yards in the R5 zone. Staff recommends a condition of approval that states which lots the maximum setbacks apply to and specifies that no structures attached to the homes may be greater than 30 inches in height may project into the required setbacks.

Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.

4. *The proposal complies with the applicable policies of the Comprehensive Plan.*

The following policies of the Beaverton Comprehensive Plan have been identified as being applicable to this Conditional Use request.

Chapter 3 (Land Use Element)

- 3.13** *Provide for the establishment and maintenance of safe, convenient, attractive and healthful places to live.*

The applicant is proposing an 82 unit PUD and Subdivision development which contains active and passive open space as well as preservation of natural areas. The proposed development is designed to be safe, convenient, active and healthful. The proposed development provides pedestrian and vehicular connections to surrounding areas as well as through the site.

- 3.13.3** *Establish Standard Density Residential areas to provide moderate sized lots of typical single family residences with private open space.*

The applicant states that Forest Glen efficiently utilizes land, in that its 6.6 net acres achieves 82 units, about 12.42 units per acre, equating to 31 persons per acre. Additionally the applicant states that there are two types of homes proposed: an alley-loaded home ranging from 1,701 square feet to 1,845 square feet and a front loaded home that ranges from 1,941 square feet to 2,856 square feet. Each of these two types

of homes has at least 2 types of floor plans and 6 separate elevations, totaling 12 different home plans that will be available to future residents.

The applicant proposes to utilize a smaller lot size with cluster style housing development in order to provide additional public and community open space to residents. Given the resource constraints of the site and the desire to preserve trees and wetland areas smaller than traditional lots in the area are provided as a tradeoff for resource preservation.

Chapter 5 (Public Facilities and Services Element)

Public facilities and services have been reviewed through the Facilities Review process and are documented in the Facilities Review section of this report (Attachment A).

Chapter 6 (Transportation Element)

6.2.1.a *Maintain the livability of Beaverton through proper location and design of transportation facilities.*

The applicant states that the proposed development is providing a solution to a major City transportation problem, the currently offset Weir Road, by re-aligning the eastern leg of the road to connect to the currently signalized intersection of SW Murray Boulevard and SW Weir Road (western leg). This realignment is identified in the City of Beaverton's Comprehensive Plan. The development also provides a connection to SW Spaniel Court which currently has a temporary connection to SW Murray Boulevard. An additional connection to SW 141st Avenue is provided by the proposed development.

6.2.1.e *Protect neighborhoods from excessive through traffic and travel speeds while providing reasonable access to and from residential areas. Build streets to minimize speeding.*

The applicant states that Forest Glen is helping to alleviate a current transportation constraint by connecting the currently offset sections of SW Weir Road into the existing signalized intersection. The applicant has submitted a revised site plan which shows this realignment with a 25mph design speed and bicycle lanes (see applicant's materials). This new realignment of Weir will provide a safe and efficient route for traffic along Weir which should minimize cut-through traffic in the neighborhoods, while maintaining reasonable speeds through the area.

6.2.2.c *Develop and provide a safe, complete, attractive, efficient, and accessible system of pedestrian ways and bicycle ways, including bike lanes, cycletracks, bike boulevards, shared roadways, multi-use paths, and sidewalks according to the pedestrian and bicycle system maps, and the Development Code and Engineering Design Manual requirements.*

The applicant states that streets are designed to be pedestrian friendly with all internal streets having parallel parking, no driveways, porches and curb extensions. The

development provides pedestrian connections to surrounding areas as well as public spaces throughout the site. The development as proposed does not include bike lanes on the realigned portion of SW Weir Road, as required by the Engineering Design Manual (EDM), to address this staff recommends a condition of approval that the applicant construct the realigned portion of SW Weir Road to meet the standards of the EDM, including the addition of bike lanes, or receive an Engineering Design Modification through the Public Works Director.

- 6.2.2.d** *Design sidewalks and the pedestrian access systems to City standards to enhance walkability: complete the accessible pedestrian network, provide safe direct access to transit and activity centers, and provide safe crossings at intersections with pedestrian friendly design.*

The proposed development provides connections to the proposed public park, as well as to external sites such as Hiteon Elementary School and the Murrayhill Shopping Center as well adjacent transportation facilities by providing a network of sidewalks and off-street paths.

- 6.2.3.b** *Design streets to serve anticipated function and intended uses as determined by the Comprehensive Plan.*

The development as proposed does not include bike lanes on the realigned portion of SW Weir Road, as required by the Engineering Design Manual (EDM). To address this staff recommends a condition of approval that the applicant construct the realigned portion of SW Weir Road to meet the standards of the EDM, including the addition of bike lanes, or receive an Engineering Design Modification through the Public Works Director.

- 6.2.3.d** *Designate safe walkway and bikeway routes from residential areas to schools, parks, transit, and other activity centers.*

The applicant provides sidewalks and off-street pedestrian walkways throughout the site, connecting to the adjacent sidewalk system. Local streets can safely accommodate bicycles within the drive isles. The development as proposed does not include bike lanes on the realigned portion of SW Weir Road, as required by the Engineering Design Manual (EDM). To address this staff recommends a condition of approval that the applicant construct the realigned portion of SW Weir Road to meet the standards of the EDM, including the addition of bike lanes, or receive an Engineering Design Modification through the Public Works Director.

- 6.2.3.g** *Maintain access management standards for streets consistent with City, County, and State requirements to reduce conflicts among vehicles, trucks, rail, bicycles, and pedestrians. Preserve the functional integrity of the road system by limiting access per City standards.*

The proposed development appears to be consistent with City and County access

management standards. Any exiting accesses to SW Murray Boulevard and SW Weir Road from the subject site will be closed as part of this development. Internally many of the units are alley loaded and do not have individual curb cuts along local streets, minimizing the number of access points and decreasing conflict with pedestrians and bicyclists.

6.2.3.h *Ensure that adequate access for emergency services vehicles is provided throughout the City.*

The proposal has been reviewed by Tualatin Valley Fire & Rescue. By complying with the conditions of approval the applicant will be in compliance with the policy.

6.2.4 *An efficient transportation system that reduces the percentage of trips by single occupant vehicles, reduces the number and length of trips, limits congestion, and improves air quality.*

The applicant states that the proposed development is implementing a major traffic improvement that will reduce traffic congestion in the immediate areas. Relocating East Weir directly opposite West Weir and aligning the intersections to accommodate a 4-way signalized intersection at Murray and Weir will improve cross-town, neighborhood, and access for all modes of travel-vehicular, mass transit, bicycle and pedestrian. This one improvement by virtue of reducing time spent in auto travel reduces congestion, improves air quality, and general quality of life.

Staff concurs that this realignment of SW Weir Road will improve the traffic flow in this area and accomplish a key transportation connection in the Comprehensive Plan. The applicant has provided a revised plan, as of September 17th showing a revised alignment of SW Weir Road which includes bike lanes. Staff has not had time to fully evaluate the proposal but will review the proposal prior to the public hearing.

6.2.5.a *Construct transportation facilities, including access to and within transit waiting areas, to meet the requirements of the Americans with Disabilities Act.*

The applicant states that all streets will include handicap access ramps at corners, as required by City and Federal laws. The applicant also states that the new extension of Weir will provide improved and more direct access to the existing bus stop at Murray and Weir.

Chapter 7 (Natural, Cultural, Historical, Scenic, Energy & Groundwater Resources Element)

7.3.3.a *Significant Wetlands in the Local Wetland Inventory shall be protected for their filtration, flood control, wildlife habitat, natural vegetation and other water resource values.*

The applicant states that two tracts totaling 98,875 square feet have been preserved in order to protect wetlands and associated buffer areas within the development site.

7.3.3.b *Development within the buffer area adjacent to a significant wetland shall be subject to restrictions on building, grading, excavation, placement of fill, and native vegetation removal.*

The applicant states that the buffer areas are in compliance with CWS standards and requirements and the applicant has obtained a CWS Service Provider Letter for the proposed development.

Chapter 8 (Environmental Quality & Safety Element)

8.4.1.a *Noise impacts shall be considered during development review processes.*

The applicant states that there will be associated noise impacts with the homes that back on to SW Murray Boulevard and noise-mitigating measures such as double paned glass, solid rear yard fencing, and expanded landscaping will be provided to help to minimize the noise impact to residents of these homes.

In summary, staff concurs with the applicants responses to the policies identifies above and concludes that after reviewing all of the above policies, staff finds the proposal either already complies with the above Comprehensive Plan policies or will comply if the conditions of approval are met.

Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.

5. *The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.*

The applicant states that the accompanying grading plan and dimensioned site plan demonstrate that the proposal ‘fits’ both horizontally and vertically and that the site can reasonably accommodate the proposed site plan. The project site contains wetland areas as well as an existing tree grove. The proposed development has clustered the housing units on the site away from these natural features in order to accommodate preserving the natural features of the site as well as providing housing. Staff finds that the site can reasonably accommodate the proposal.

Therefore, staff find the proposal meets the criterion for approval.

6. *The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.*

The applicant states that the entire development and its architectural design have been designed to blend with and be compatible with surrounding development. The applicant states

that the only areas that directly abut adjacent development occur on the south and east boundaries of the site where the homes are the largest in size and are 32' wide. The applicant points out that the rear setbacks are 20' along the eastern portion of the subject site at 15' along the southern portion of the subject site.

Additionally, the applicant additionally observes that the premise of using a PUD style of development where density is proposed to be concentrated meets multiple positive environmental objectives such as; preserving open space, minimizing impact to natural wetland resources, and maintaining an existing grove of trees on the northeastern portion of the site. The applicant states that a traditional subdivision in this area would allow of fewer lots while not preserving trees or providing open space, which is accomplished through the proposal. Additionally the applicant points out that the proposed number of lots, 82, is between the minimum density of 46 lots and maximum density of 117 which could be permitted on the site.

Staff finds that the proposed development can be made reasonably compatible with the surrounding neighborhood by meeting the conditions of approval.

Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.

7. *The width of the proposed lots or staggering of building setbacks within detached residential developments vary so as to break up the monotony of long blocks and provide for a variety of home shapes and sizes, while giving the perception of open spaces between homes.*

The applicant states that the architectural facades have been designed to create interest with varying planes of porches, columns, and other offsets. No building will be repeated on adjacent lots and there will be two product types for each type of home (front-loaded or alley) with three façade designs. As well the massing and roof types will be varied building to building to create additional variety beyond the offsets.

The applicant does not propose to stagger the building setbacks for lots which request a reduction to the minimum front yard setback of the base zone. Staff recommends a condition of approval, in order to comply with Section 60.35.10.3.B.1 that the applicant provide a plan prior to site development permit approval showing a minimum of 1' front yard setback staggering for lots 14-50 in order to meet this criterion.

Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.

8. *The lessening of the Site Development Requirements results in significant benefits to the enhancement of site, building, and structural design, preservation of natural features and the surrounding neighborhood as outlined in Section 60.35.15.*

The applicant states that the clustering of residential buildings has enabled this development to provide a 1.3 acre park along with a 2.2 acre natural wetland area preserving approximately one third of the development as open space. The applicant points out that more than 200 trees will be preserved within the park and open space areas. As such, the applicant states that this development meets the purpose of a PUD by clustering development to enable open space and resource preservation. The applicant states that the proposed park will serve not only residents of the proposed development but the greater neighborhood.

Additionally the applicant is realigning SW Weir Road to comply with the Comprehensive Plan which shows the road connecting to the existing signalized intersection at SW Murray and SW Weir. This modification will help to provide safe access to SW Murray Boulevard from SW Weir Road as well as through traffic along SW Weir Road.

Staff concurs that by meeting the conditions of approval that the lessening of the Site Development Requirements results in benefits to the site, transportation system, and preservation of natural features.

Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.

9. *The proposal provides improved open space that is accessible and usable by persons living nearby. Open space meets the following criteria unless otherwise determined by the Planning Commission through Section 60.35.15:*
 - a. *The dedicated land forms a single parcel of land except where the Planning Commission determines two (2) parcels or more would be in the public interest to complement the overall site design.*
 - b. *The shape of the open space is such that the length is not more than three (3) times the width the purpose of which is to provide usable space for a variety of activities except where the Planning Commission determines a greater proportioned length would be in the public interest and complement the overall site design.*
 - c. *The dedicated land(s) is located to reasonably serve all lots for the development, for which the dedication is required.*

The applicant proposes a 1.3 acre park, in a single tract, which ownership is envisioned to be transferred to THPRD for continued maintenance. This open space area includes a tot-lot, benches, picnic tables, trails, and preserves existing trees. The overall shape of the open space does not have a length that exceeds more than three times the width of the tract. The location of the proposed park at the northeast corner of the site is reasonably accessible to residents of the development as well as the surrounding area, while allowing for the retention of an existing grove of trees.

In order to ensure adequate maintenance of the proposed park facility staff proposes a condition of approval that the HOA be responsible for maintenance of the facility until such time as it is transferred to a public agency, such as THPRD, for maintenance.

Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.

10. *If the application proposes to develop the PUD over multiple phases, the decision making authority may approve a time schedule of not more than five (5) years for the multiple development phases. If a phased PUD has been approved, development of the future phases of the PUD shall be filed within five (5) years of the date of decision of the PUD. Refer to Section 50.90.*

The applicant does not propose phased development.

Therefore, staff find the criterion is not applicable.

11. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.*

The applicant has submitted this Conditional Use application with associated Preliminary Subdivision, Sidewalk Design Modification and Tree Plan 2 applications for this project. Concurrent review of the applications satisfies this criterion. The applicant has also applied for an Engineering Design Manual Modification through the Engineering Department which is being evaluated at this time. No other applications are required of the applicant at this stage of City review. Because the applications are being reviewed concurrently, the Commission will review all the applications at one public hearing. Staff recommends a condition of approval requiring the associated applications to be approved before a site development permit is issued.

Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **CU2012-0008 (Forest Glen Subdivision & PUD)** subject to the applicable conditions identified in Attachment F.

Planned Unit Development Code Conformance Analysis

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Modification of Base Zoning Standards			
60.35.10.1 Permitted Uses	Compliance with permitted and conditional uses of the zoning district.	The development proposes detached residential housing, which is permitted in the R5 zone. Additionally a public park is proposed which meets section 60.35.10.1.C.1 as an allowed accessory use to the PUD development.	Yes
60.35.10.2.A Density and Lot Dimensions	Density and scale shall relate to the surrounding neighborhood through massing and architectural compatibility.	The applicant proposes single family detached structures which are a maximum of two stories tall, consistent with the surrounding area. The density for the entire site is within the limits of what is allowed by the base zone, though buildings are clustered to preserve natural areas and provide open space.	Yes
60.35.10.2.B Density Transfers	Density transfers allow an equal transfer of dwelling units from one portion of the site to another in certain areas.	The applicant transfers a limited amount of density from the wetland and associated buffer area.	Yes
60.35.10.2.C Single Family Residential Lot Sizes	Minimum lot size is 50% of the base zone, maximum lot size is 150% base zone. Lot dimensions shall not result in a lesser density than a conventionally designed subdivision.	No lots are proposed to be less than 2500 square feet (50% of the minimum in the R5 zone) or greater than 7500 square feet (150% of the minimum in the R5 zone). The proposed density is not less than would result from a conventional subdivision.	Yes
60.35.10.2.D Lot Coverage	Lot coverage shall not exceed 60% for single-family detached houses. Lot coverage may be increased 10% by meeting architectural requirements in the Development Bonus Section.	In the table provided by the applicant one lot, Lot 30, exceeds the 60% lot coverage standard. The applicant does not propose to utilize the Development Bonus Section. Staff recommends a condition of approval that the applicant provide a plan showing Lot 30 complying with the lot coverage maximum of 60%.	Yes w/ COA

60.35.10.3.A Setbacks	Proposed lots abutting the perimeter of the property shall comply with the standard front and rear yard setbacks of the parent parcel. Side yards of the parent parcel, where abutting exiting development, must be a minimum of 15'.	The applicant proposes a 20' rear yard setback (east), 15' front yard setback (west), and 15' side setbacks (north & south). Staff recommends a Condition of Approval stating these setbacks and that structures attached to the primary dwelling over 30" in height may not be permitted within these setbacks.	Yes w/ COA
60.35.10.3.B.1 Front Setbacks	Front setbacks modified from the base zone shall have staggered front yards.	The applicant proposes 10' front yard setbacks for units 14-50 which is a modification from the 15' front yard setback in the R5 zone. The applicant does not currently propose setback staggering of the lots. Staff proposes a condition of approval requiring the applicant to provide a plan showing a minimum of 1' front yard setback staggering for lots 14-50 or meet the 15' required front yard setback.	Yes w/ COA
60.35.10.3.B.2 Front Setbacks	Front setbacks for a residential structure is a minimum of 10' or 5' for an unenclosed porch or stoop.	The applicant proposes to maintain a minimum 10' front yard setback for all units.	Yes
60.35.10.3.B.3 Front Setbacks	Garages that face a public street shall be set back 20' from the property line and recessed a minimum of 4' from the front building plane, not including porches, when facing a street. Garages facing a rear shall be set back 5'.	Garages on lots 1-13 and 51-82 are a minimum of 20' from the property line and recessed a minimum of 4' from the front plane of the structure. Rear loaded garages are 5' from the rear property line.	Yes
60.35.10.3.C Rear Setbacks	Rear setbacks shall be the same as the base zone for the parent parcel, excepting alley accessed lots which may be reduced to 6'.	The applicant proposes to meet the 20' rear yard setback for the eastern property line, considered the rear of the parent parcel.	Yes
60.35.10.3.D Side Setbacks	Except for zero-lot line development side setbacks are a minimum of 4' on interior side yards and 10' on corner lots. Zero-lot line developments shall have one side yard setback of 10' and the other zero.	The applicant proposes to maintain a minimum of 8' building separation between all residential structures and 10' on corner lots.	Yes
Open Space			
60.35.15.1 Open Space Percentage	A PUD shall provide a minimum of 20% of the subject site as open space.	The applicant proposes 33% of the subject site as open space.	Yes

60.35.15.2 Open Space Composition	Up to 20% of the open space requirement may be dedicated to water quality facilities or environmentally sensitive areas.	The applicant proposes to count up to 20% of the wetland area as open space, still meeting the minimum 20% requirement by excluding the remainder of the wetland and buffer areas.	Yes
60.35.15.3.A Visibility	Open space shall provide visible and accessible open space to the proposed community.	The proposed open space areas are accessible to the community as they are located along streets or pathways.	Yes
60.35.15.3.B Accessibility	Open space must be accessible via a minimum thirty (30) foot street frontage or access easement.	All proposed open space areas are accessible via a minimum 30' street frontage.	Yes
60.35.15.3.C Slope	Not more than 60% of the gross land dedicated may have slopes greater than 5%.	As currently proposed 59.7% of the gross land dedicated as open space has slopes greater than 5%.	Yes
60.35.15.D Irrigation	Open spaces shall have a dedicated irrigation system. Resource areas are exempt.	Staff recommends a condition of approval that open space areas, with the exception of the resource areas have a dedicated irrigation system.	Yes w/ COA
60.35.15.E Developments over 10 acres	Developments greater than 10 acres in size shall dedicated 25% of total required open space to active commons areas.	The applicant proposes greater than 25% of the required open space area as commons area.	Yes
60.35.15.3.F Exclusions	Open space does not include streets, driveways, parking lots, buildings, buffers or vehicular access areas.	Open space does not include these areas.	Yes
60.35.15.4.A-C Commons Area Square Footage	Commons areas shall have an area a minimum of- 150 sq. ft for units 500 sq. ft or less 250 sq. ft. for units 500-2000 sq. ft 350 sq. ft. for units 2000 sq. ft or greater.	The applicant proposes 40 units under 2000 sq. ft. and 42 units greater than 2000 square feet for total required commons area of 24,740 square feet. The applicant proposes 29, 291 square feet of commons area.	Yes
60.35.15.4.D Commons Area Size	Commons areas shall be no smaller than the average lot size and a minimum width of 40 ft.	Commons areas are considered the park area (Tract G) and Tract D both of which are larger than the average lot and greater than 40' in width.	Yes
60.35.15.4.E Commons Areas on Collector (or Greater) Streets	Commons areas abutting a collector or greater classified street must be separated from the street by a constructed barrier a minimum of 3 feet in height.	Commons areas in Tracts G and D abut collector of higher streets and staff recommends a condition of approval requiring a minimum 3' fence or wall along those frontages.	Yes w/ COA
60.35.15.4.F Number of Commons Areas	One Commons Area shall be provided for every 50 units in single family developments.	The applicant proposes 82 lots, and therefore requires two commons areas which are	Yes

		provided with Tracts G and D.	
60.35.15.4.G Amenity	Commons Areas shall include 500 or greater points of amenity per the chart in section 60.35.15.4.G.	Tract G provides 600 points in amenity. Tract D currently provides 100 points of amenity, less than the required 500. Staff recommends a condition of approval that the applicant provide a plan showing 500 amenity points within the Tract D commons area.	Yes w/ COA
60.35.15.5 Maintenance and Ownership	Common Open Space shall be owned and maintained by a HOA or Public Agency. Open space shall be protected by CC&R's or deed restriction to prevent future development.	Staff recommends a condition of approval that all tracts be owned and maintained by the HOA unless they are dedicated to a public agency.	Yes w/ COA
Building Architecture			
60.35.20.1 Purpose	Architectural standards are intended to promote innovative design. Cluster housing or grouping buildings to maximize open space is encouraged.	The applicant proposes to cluster housing in order to provide open space and protect natural areas.	Yes
60.35.20.2.A Building Orientation	Buildings shall be oriented towards the street or public open spaces unless exempted by the Planning Commission.	All buildings are oriented toward the street or open spaces.	Yes
60.35.20.2.B Direct Access	Buildings or lots shall have direct access to sidewalks or paths that connect to a sidewalk system.	All lots have access to sidewalks or paths, with the exception of Lot 61 which has a connection through Tract C, a private drive, which connects to the existing sidewalk system.	Yes
60.35.20.2.C Alley Access	Garages with rear alley access or shared drives are encouraged.	Lots 14-50 provide alley accessed garages.	Yes
60.35.20.2.D Primary Entrance	Buildings shall have primary entrances to a street or publicly accessible sidewalk.	All buildings with eth exception of lot 61 have primary entrances on publically accessible sidewalks. Lot 61 connects to the public sidewalk system through an access tract.	Yes
60.35.20.2.E Primary Entrances	Primary entrances shall be covered or recessed with a minimum depth of 3' and width of 5'.	All primary entrances are covered and are a minimum of 3' by 5'.	Yes
60.35.20.3.A Building Heights	Buildings shall meet the maximum height of the zone unless additionally setback from the parent parcel setbacks.	Two homes are proposed to exceed the 35' maximum height in the R5 zone, lots 2 and 12. Lot 2 is 35' away from the parent parcel and Lot 12 is 19' from the parent parcel, enough to accommodate an additional 2'	Yes

		maximum building height	
60.35.20.4.A Scale & Massing	Scale and massing shall complement the surrounding uses.	The applicant proposes to develop single family detached dwellings using common northwest architectural styles such as craftsman, English revival and colonial.	Yes
60.35.20.4.B Attached Dwellings	Attached dwellings shall be architecturally similar to detached dwellings in the same development.	No attached dwellings are proposed.	N/A
60.35.20.4.C Design Elements	Buildings shall incorporate a minimum of 4 of the listed design elements.	All buildings incorporate a minimum of 4 of the listed design elements.	Yes
60.35.20.4.D Street Facing Elevations	Elevations facing a street or public space shall have windows, doors, porches, or balconies meeting minimum percentages of façade coverage: 50% front yard elevations, 30% rear yard elevations, 25% street facing side yard elevations, and 15% interior side yard elevations.	The applicant has provided a table (see applicants materials) showing 11 of 18 unit types meeting the 50% front façade coverage, 8 units meeting at least 15% on one side of the elevation and 11 units meeting the 30% rear yard coverage. The applicant has stated that they are working on enhanced elevations for street facing sides, and requests not to have to meet this standard in its entirety. Staff recommends a condition of approval requiring compliance with these standards should the Commission choose to require it.	Yes w/ COA
60.35.20.4.E Alternative Building Design	Alternative building design may reflect modern building form and style and may be approved by the Planning Commission if it can demonstrate successful use of materials and form.	The applicant states that internal side walls will not be visible from the street.	N/A
Development Bonuses and Development Incentive Options			
60.35.30 Development Bonuses and Incentives	PUD offers the applicants additional standards which can be met as incentives to promote innovative approaches and can lead to reduced open space and reduced setbacks.	The applicant is not seeking development bonuses or incentives.	N/A

**LD2012-0007
ANALYSIS AND FINDINGS FOR
LAND DIVISION-PRELIMINARY SUBDIVISION APPROVAL**

Section 40.45.05 Land Division Applications; Purpose

The purpose of the Land Division applications is to establish regulations, procedures, and standards for the division or reconfiguration of land within the City of Beaverton.

Section 40.45.15.4.C Approval Criteria

In order to approve a Preliminary Subdivision application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The application satisfies the threshold requirements for a Preliminary Subdivision application. If the parent parcel is subject to a pending Legal Lot Determination under Section 40.47, further division of the parent parcel shall not proceed until all of the provisions of Section 40.47.15.1.C have been met.*

The applicant proposes an 82 lot subdivision from 4 parent parcels, meeting the threshold 1 for a Preliminary Subdivision.

1. *The creation of four (4) or more new lots from at least one (1) lot of record in one (1) calendar year.*

The parent parcels are not subject to a Legal Lot Determination.

Therefore, staff find that the proposal meets the criterion for approval.

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

The applicant has paid the required application fee for a Preliminary Subdivision application.

Therefore, staff find that the proposal meets the criterion for approval.

3. *The proposed development does not conflict with any existing City approval, except the City may modify prior approvals through the subdivision process to comply with current Code standards and requirements.*

There are no other existing City approvals which pertain to the subject property.

Therefore, staff find that the proposal meets the criterion for approval.

4. *Oversized lots resulting from the subdivision shall have a size and shape which will facilitate the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed subdivision and future potential development on oversized lots.*

No oversized lots are proposed in association with this development

Therefore, staff find that criterion for approval is not applicable.

5. *If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.*

The applicant does not propose phasing of the development.

Therefore, staff find that criterion for approval is not applicable.

6. *Applications that apply the lot area averaging standards of Section 20.05.50.1.B shall demonstrate that the resulting land division facilitates the following:*
 - a) *Preserves a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or,*
 - b) *Complies with minimum density requirements of [the Development] Code, provides appropriate lot size transitions adjacent to differently zoned properties, and where a street is proposed provides a standards street cross section with sidewalks.*

The proposal does not apply the lot area averaging standards. The applicant proposes to reduce the minimum lot size through the Planned Unit Development (PUD) process, not using the lot averaging standards of Section 20.05.20.1.B.

Therefore, staff find that the criterion for approval does not apply.

7. *Applications that apply the lot area averaging standards of Section 20.05.50.1.B do not require further Adjustments or Variance for the Land Division.*

The proposal does not apply the lot area averaging standards. The applicant proposes to reduce the minimum lot size through the Planned Unit Development (PUD) process, not using the lot averaging standards of Section 20.05.20.1.B.

Therefore, staff find that the criterion for approval does not apply.

8. *The proposal does not create a parcel which will have more than one (1) zoning designation.*

All lots created by the proposal will have the Urban Standard Density (R5) zoning designation.

Therefore, staff find that the proposal meets the criterion for approval.

9. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.*

The applicant has submitted this Preliminary Subdivision application with associated Planned Unit Development, Sidewalk Design Modification and Tree Plan 2 applications for this project. Concurrent review of the applications satisfies this criterion. The applicant has also applied for an Engineering Design Manual Modification through the Engineering Department which is being evaluated at this time. No other applications are required of the applicant at this stage of City review. Because the applications are being reviewed concurrently, the Commission will review all the applications at one public hearing. Staff recommends a condition of approval requiring the associated applications to be approved before a site development permit is issued.

Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **LD2012-0007 (Forest Glen Subdivision & PUD)** subject to the applicable conditions identified in Attachment F

Land Division Standards Code Conformance Analysis

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Grading Standards			
60.15.10.1 Applicability	Grading standards apply to all land divisions where grading is proposed but do not supersede Section 60.05.25 Design Review.	The proposal is subject to the grading standards contained herein.	Yes
60.15.10.2.A-C Exemptions	Exemptions include: Public right-of-way, storm water detention facilities, grading adjacent to an existing public-right of way which results in a finished grade below the elevation of the adjacent right-of-way.	The applicant is not requesting any exemptions be applied to this development.	N/A
60.15.10.3.A 0-5 Feet From Property Line	Maximum of two (2) foot slope differential from the existing or finished slope of the abutting property.	The applicant states that no grades or slopes greater than two feet within five feet of the boundary of the property lines.	Yes
60.15.10.3.B 5-10 Feet From Property Line	Maximum of four (4) foot slope differential from the existing or finished slope of the abutting property.	The applicant states that the maximum grade differential for this increment does not exceed 2.5 feet.	Yes
60.15.10.3.C 10-15 Feet From Property Line	Maximum of six (6) foot slope differential from the existing or finished slope of the abutting property.	The applicant states that the maximum grade differential for this increment does not exceed 6 feet.	Yes
60.15.10.3.D 15-20 Feet From Property Line	Maximum eight (8) foot slope differential from the existing or finished slope of the abutting property.	The applicant states that the maximum grade differential for this increment does not exceed 7.7 feet.	Yes
60.15.10.3.E 20-25 Feet From Property Line	Maximum ten (10) foot slope differential from the existing or finished slope of the abutting property.	The applicant states that the maximum grade differential for this increment does not exceed 7.7 feet.	Yes
60.15.10.3.F Pre-development slope	Where a pre-development slope exceeds one or more of the standards in subsections 60.15.10.3.A-E, the slope after grading shall not exceed the pre-development slope	The applicant states this section is not applicable because the proposal complies with Section 60.15.10.3.A-E.	N/A
Significant Trees and Groves			
60.15.10.4 Significant Trees and Groves	Standards for grading within 25 feet of significant trees or groves.	No significant trees or groves existing on site.	N/A

**SDM2012-003
ANALYSIS AND FINDINGS FOR
SIDEWALK DESIGN MODIFICATION**

Section 40.58.05. Sidewalk Design Modification Application; Purpose

The purpose of the Sidewalk Design Modification application is to provide a mechanism whereby the City's street design standards relating to the locations and dimensions of sidewalks or required street landscaping can be modified to address existing conditions and constraints as a specific application. For purposes of this section, sidewalk ramps constructed with or without contiguous sidewalk panels leading to and away from the ramp shall be considered sidewalks. This section is implemented by the approval criteria listed herein.

Section 40.58.15.1.C. Approval Criteria

In order to approve a Sidewalk Design Modification application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that the following criteria are satisfied:

1. *The proposal satisfies the threshold requirements for a Sidewalk Design Modification application.*

Section 40.58.15.1.A.1 Threshold: *An application for Sidewalk Design Modification shall be required when the following threshold applies:*

- The sidewalk width, planter strip width, or both minimum standards specified in the Engineering Design Manual are proposed to be modified.
2. The dimensions or locations of street tree wells specified in the Engineering Design Manual are proposed to be modified.

The applicant's narrative for SDM identifies the change proposed to the sidewalk and planter strip standards.

Therefore, staff find the proposal meets the criterion for approval.

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

The City of Beaverton received the appropriate fee for the SDM application.

Therefore, staff finds the proposal meets the criterion for approval.

3. *One or more of the following criteria are satisfied:*

- a. *That there exist local topographic conditions, which would result in any of the following:*
 - i. *A sidewalk that is located above or below the top surface of a finished curb.*
 - ii. *A situation in which construction of the Engineering Design Manual standard street cross-section would require a steep slope or retaining wall that would prevent vehicular access to the adjoining property.*
- b. *That there exist local physical conditions such as:*
 - i. *An existing structure prevents the construction of a standard sidewalk.*
 - ii. *An existing utility device prevents the construction of a standard sidewalk.*
 - iii. *Rock outcroppings prevent the construction of a standard sidewalk without blasting.*
- c. *That there exist environmental conditions such as a Significant Natural Resource Area, Jurisdictional Wetland, Clean Water Services Water Quality Sensitive Area, Clean Water Services required Vegetative Corridor, or Significant Tree Grove.*
- d. *That additional right of way is required to construct the Engineering Design Manual standard and the adjoining property is not controlled by the applicant.*

The applicant refers to Sheet 9 in the plan set provided by the narrative and describes the request for a sidewalk design modification to remove the planter strip along local streets B, D, F, and G in favor of providing on street parking on one side of the street which would also contain landscaped curb extensions to delineate the on-street parking areas. The opposite side of the street would contain a curb tight sidewalk. The street standard for a neighborhood street is a 0.5 foot curb, 7.5 foot planter, and a 5 foot sidewalk. For local streets C and E the applicant proposes to remove the planter strip and provide parking on both sides of the street with bulb outs at the corners to define the parking area.

The applicant's narrative identifies and responds to Criteria "c". The applicant states that there are significant environmental conditions, including wetlands, wetland buffers, trees and steep slopes which limit the developable area of the site. As such the applicant proposes to modify the sidewalk and planting strip requirements for the development, reflective of the constrained development area and City minimum density requirements.

Staff concurs that there are environmental constraints that limit the buildable area of the site. However, the applicant is exceeding minimum density requirements of the R5 zone, as previously noted in the Conditional Use section of the staff report. The development is proposing to balance the need for on-street parking as well as the desire for pedestrian comfort and safety. Providing the fully required planter strips would result in loss of on-street parking for the development or the loss of building lots within the development. As providing for a variety of housing forms is important to the City of Beaverton staff concurs with the proposal to modify the planter strips and provide them only at corners and mid-block on longer blocks. Staff notes that the applicant is providing trees within the front yards of properties abutting public streets which are proposed to be planted near the streets, while not performing the same function as street trees they may provide some similar visual relief to pedestrians.

Therefore, staff finds the proposal meets the criterion for approval.

4. *The proposal complies with provisions of Section 60.55.25 Street and Bicycle and Pedestrian Connection Requirements and 60.55.30 Minimum Street Widths.*

The applicant states that the proposal complies with provisions of Section 60.55.25 as demonstrated in the narrative provided to this Section (Chap. 60). Staff refers to the Facilities Review findings for approval criterion D in reference to compliance with 60.55.25 and 60.55.30. Portions of the site are subject to an Engineering Design Modification, as discussed in the Facilities Review portion of the staff report. The applicant must show compliance with the Conditions of Approval prior to issuance of a Site Development Permit for the proposed transportation facilities.

Therefore, staff finds that by meeting the conditions of approval, the proposal meets the criterion for approval.

5. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.*

The applicant has submitted this Sidewalk Design Modification application with associated Planned Unit Development, Preliminary Subdivision and Tree Plan 2 applications for this project. Concurrent review of the applications satisfies this criterion. The applicant has also applied for an Engineering Design Manual Modification through the Engineering Department which is being evaluated at this time. No other applications are required of the applicant at this stage of City review. Because the applications are being reviewed concurrently, the Commission will review all the applications at one public hearing. Staff recommends a condition of approval requiring the associated applications to be approved before a site development permit is issued.

Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.

6. *The proposed Sidewalk Design Modification provides safe and efficient pedestrian circulation in the site vicinity.*

Staff cites the finding prepared herein in response to Criteria F and G of Facilities Review approval as adequate for supportive findings in response to Criterion No. 6 of SDM approval.

Therefore, staff finds the proposal meets the criterion for approval.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **SDM2012-0003 (Forest Glen Subdivision & PUD)** subject to the applicable conditions identified in Attachment F.

ATTACHMENT E

TP2012-0007 ANALYSIS AND FINDINGS FOR TREE PLAN TWO APPROVAL

Section 40.90.05 Tree Plan Applications; Purpose

Healthy trees and urban forest provide a variety of natural resource and community benefits for the City of Beaverton. Primary among those benefits is the aesthetic contribution to the increasingly urban landscape. Tree resource protection focuses on the aesthetic benefits of the resource. The purpose of a Tree Plan application is to provide a mechanism to regulate pruning, removal, replacement, and mitigation for removal of Protected Trees (Significant Individual Trees, Historic Trees, trees within Significant Groves and Significant Natural Resource Areas (SNRAs)), and Community Trees, thus helping to preserve and enhance the sustainability of the City's urban forest.

Section 40.90.15.2.C Approval Criteria

In order to approve a Tree Plan Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

- 1. The proposal satisfies the threshold requirements for a Tree Plan Two application.*

The applicant proposes to remove approximately 70% of the community trees from the subject site, which meets threshold one for a Tree Plan Two application.

- 1. Removal of five (5) or more Community Trees, or more than 10% of the number of Community Trees on the site, whichever is greater, within a one (1) calendar year period, except as allowed in 40.90.10.1.*

Therefore, staff find that the proposal meets the criterion for approval.

- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.*

The applicant has paid the required fee for a Tree Plan Two application.

Therefore, staff find that the proposal meets the criterion for approval.

- 3. If applicable, removal of any tree is necessary to observe good forestry practices according to recognized American National Standards Institute (ANSI) A300-1995 standards and International Society of Arborists (ISA) standards on the subject.*

The trees are not proposed for removal to observe good forestry practices. The trees are proposed for removal to accommodate the development of the site and the associated grading and construction. The applicant does state that invasive or hazardous trees are proposed to be removed which will improve the health of the remaining grove.

Therefore, staff find that the criterion for approval does not apply.

4. *If applicable, removal of any tree is necessary to accommodate physical development where no reasonable alternative exists.*

The trees proposed to be removed must be removed to accommodate the development of the site, including the installation of the underground utilities, provisions of roads and development of lots. The applicant has proposed to cluster the development on the southern portion of the site in order to maintain a grove of the community trees within the proposed park area. Alternative layouts, including a traditional subdivision layout would lead to a significant reduction in the number of trees retained. The proposed development reasonably protects a portion of the existing trees on site.

Therefore, staff find that the proposal meets the criterion for approval.

5. *If applicable, removal of any tree is necessary because it has become a nuisance by virtue of damage to property or improvements, either public or private, on the subject site or adjacent sites.*

Property damage or other nuisances are not the reason the trees are being removed. Trees are being removed to facilitate development of the site.

Therefore, staff find that the criterion for approval does not apply.

6. *If applicable, removal is necessary to accomplish public purposes, such as installation of public utilities, street widening, and similar needs, where no reasonable alternative exists without significantly increasing public costs or reducing safety.*

In order for the proposed development to provide public streets the trees within the areas to be dedicated as streets must be removed.

Therefore, staff find that the proposal meets the criterion for approval.

7. *If applicable, removal of any tree is necessary to enhance the health of the tree, grove, SNRA, or adjacent trees, [or] to eliminate conflicts with structures or vehicles.*

The trees within and adjacent to the proposed new street are proposed for removal to eliminate

conflicts with vehicles. The other trees are proposed for removal because they would be unlikely to survive the grading required to convert the existing property into housing lots.

Therefore, staff find that the proposal meets the criterion for approval.

- 8 *If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in a reversal of the original determination that the SNRA or Significant Grove is significant based on criteria used in making the original significance determination*

The subject site does not contain a SNRA or significant grove.

Therefore, staff find that the criterion for approval does not apply.

9. *If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in the remaining trees posing a safety hazard due to the effects of windthrow.*

The trees to be preserved and most of those to be preserved are located in the northeast corner of the site, close to the existing neighboring trees. This will lessen the potential for the trees to pose a safety hazard from wind damage. The applicant has presented an arborist report which recommends that the preserved trees have the ivy infestation removed from them, to the extent possible, as recommended by the project arborist as a means of lessening the susceptibility to windthrow.

Therefore, staff find that the proposal meets the criterion for approval.

10. *The proposal is consistent with all applicable provisions of Section 60.60 Trees and Vegetation and Section 60.67 Significant Natural Resources.*

Staff cites the Code Conformance Analysis chart at the end of the Tree Plan Staff Report, which evaluates the project as it relates to applicable code requirements of Sections 60.60 through 60.67, as applicable to the aforementioned criterion. As demonstrated on the chart, the proposal complies with all applicable provisions of Chapter 60.60 and 60.67.

Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.

11. *Grading and contouring of the site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.*

This approval criterion is identical to Facilities Review approval criterion J. and the response contained within the revised Facilities Review report (Attachment A, above) is hereby cited and

incorporated. The applicant's revised plans balance accommodating the proposed use and mitigating the adverse effects on neighboring properties.

Therefore, staff find that the proposal meets the criterion for approval.

12. *The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.*

The submitted tree plan proposal contained all applicable submittal requirements necessary to be deemed complete.

Therefore, staff find that the proposal meets the criterion for approval.

13. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.*

The applicant has submitted this Tree Plan Two application with associated Planned Unit Development, Preliminary Subdivision and Sidewalk Design Modification applications for this project. Concurrent review of the applications satisfies this criterion. The applicant has also applied for an Engineering Design Manual Modification through the Engineering Department which is being evaluated at this time. No other applications are required of the applicant at this stage of City review. Because the applications are being reviewed concurrently, the Commission will review all the applications at one public hearing. Staff recommends a condition of approval requiring the associated applications to be approved before a site development permit is issued.

Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **TP2012-0007 (Forest Glen Subdivision & PUD)** subject to the applicable conditions identified in Attachment F.

Code Conformance Analysis

Chapter 60.60 Trees and Vegetation & Chapter 60.67 Significant Natural Resources

CODE SECTION	CODE REQUIREMENT	PROJECT PROPOSAL	MEET STANDARD
60.60.15 Pruning, Removal, and Preservation Standards			
60.60.15.1A-B	Pruning Standards	All pruning must comply with the City's adopted Tree Planting and Maintenance Policy.	YES w/COA
60.60.15.2.A	Removal of Protected Trees must be in accordance with this section.	The proposed tree removal complies with this section (see findings below).	YES w/ COA
60.60.15.2.B	Mitigation is required as set forth in 60.60.25	Mitigation is not required for community trees	N/A
60.60.15.2.C.1	Standards for SNRA & Significant Groves	No SNRA's or Significant Groves are identified on site.	N/A
60.60.15.2.C.2	DBH shall be retained in cohesive Preservation Areas.	No SNRA's or Significant Groves are identified on site.	N/A
60.60.15.2.C.3	Native understory vegetation and trees shall be preserved in Preservation Areas.	No SNRA's or Significant Groves are identified on site.	N/A
60.60.15.2.C.4	Preservation Areas shall be clustered and connect with adjoining portions of the SNRA or Significant Grove.	No SNRA's or Significant Groves are identified on site.	N/A
60.60.15.2.C.5	Preservation Areas shall be set aside in conservation easements.	No SNRA's or Significant Groves are identified on site.	N/A
60.60.15.2.C.6	Preservation Areas conditioned for protection through the Land Division process.	No SNRA's or Significant Groves are identified on site.	N/A
60.60.15.2.C.7	Native species shall be preferred for preservation over non-	Trees are proposed to be removed for development.	N/A

	native species.		
60.60.15.2.C.8	Hazardous and dead trees should be fallen only for safety and left at the resource site unless the tree has been diagnosed with a disease.	No SNRA's or Significant Groves are identified on site.	N/A
60.60.20 Tree Protection Standards During Development			
60.60.20.1	Trees shall be protected during construction by a 4' orange plastic fence and activity within the protected root zone shall be limited. Other protections measures may be used with City approval.	Protection measures are proposed in conformance with section 60.60.20, including construction fencing and efforts to ensure minimal impacts to existing vegetation that is to be retained. Some trees closer to development may need alternative protections measures. Staff recommends a condition of approval that the applicant adhere to Section 60.60.20 unless modified in agreement with the City Arborist.	YES w/ COA
60.60.25 Mitigation Requirements			
60.60.25	Mitigation Standards: (60.60.25.2.B) if less than 50% of the total DBH is proposed for removal no mitigation is required.	No SNRA's or Significant Groves are identified on site. Mitigation is not required for Community Trees.	N/A
60.67 Significant Natural Resources			
60.67.05.1	Development activities in locations of possible significant natural resources and/or wetlands are subject to relevant procedures identified in Chapter 50.	The proposed development and associated tree removal is subject to the relevant procedures identified in Chapter 50 including types 1, 2 and 3 land use applications.	YES
60.67.15.2	For sites identified in the Local Wetland Inventory notice of the proposed development shall be	DSL has been notified of the proposed application.	YES

	provided to DSL.		
60.67.10	Development activities in locations of Significant Riparian Corridors are subject to relevant procedures identified in Chapter 50.	The proposed development and associated tree removal is subject to the relevant procedures identified in Chapter 50 including types 1, 2 and 3 land use applications.	YES

CONDITIONS OF APPROVAL**CU2012-0008****A. Prior to issuance of the site development permit, the applicant shall:**

1. Provide a plan and detail showing 3' minimum height fencing, or other man made barrier, along all commons or park areas abutting a collector or higher street to meet Section 60.35.15.4.E of the Development Code. (Planning Division/JF)
2. Ensure that all associated applications, including Sidewalk Design Modification, Conditional Use, Land Division, and Tree Plan have been approved and are consistent with the submitted plans. (Planning Division/JF)
3. Provide a revised site plan showing Lot 30 with a maximum lot coverage of 60% to comply with the standards of Section 60.35.10.2.D of the Development Code. (Planning Division/JF)
4. Provide a plan showing staggered front yard setbacks for lots 14-50, staggered setbacks must vary by a minimum of 1 foot from adjacent lots, to comply with the standards of Section 60.35.10.3.B.1 of the Development Code. (Planning Division/JF)
5. Provide a plan showing that the proposed open space, with the exception of the resource areas, have a dedicated irrigation system to comply with the standards of Section 60.35.15.E of the Development Code. (Planning Division/JF)
6. Provide a plan showing a minimum of 500 amenity points for the Commons Area located in Tract D, to comply with the standards of Section 60.35.15.4.G of the Development Code (Planning Division/JF)

B. Prior to final plat approval, the applicant shall:

7. The Codes, Covenants, and Restrictions (CC&R's) shall be reviewed and approved by the City Attorney and Planning Director and shall contain at a minimum:
 - a. The formation of the HOA shall be described in articles of incorporation and bylaws and in the CC&Rs to be recorded with the final plat.
 - b. The CC&R's shall include language stating that the Homeowners Association (HOA) is the party responsible for maintenance of all Tracts associated with the development, unless such tracts are dedicated to a public agency.
 - c. The CC&R's shall describe the responsibilities of the HOA for maintaining the Tract areas which shall include at minimum the following provisions:
 - i. That no houses, buildings, or structures of any kind or type shall be erected, constructed, moved onto or placed in the tracts, without prior City approval.

- ii. That no dumping or disposal of any ashes, trash, garbage, refuse, junk, lawn clippings, soil or unsightly or unsanitary material shall be permitted or maintained within the tract areas. (Planning Division/JF)

C. General Conditions:

8. Residential lots 51-61 shall maintain a 15' required rear yard setback for the primary structure and all structures attached to the primary structure which are greater than 30" above grade at any point. Permitted accessory structures are exempt from this condition but are not exempt from Development Code and Building Code standards governing accessory structures. (Planning Division/JF)
9. Residential lots 62-74 shall maintain a 20' required rear yard setback for the primary structure and all structures attached to the primary structure, which are greater than 30" above grade at any point. This 20' required setback also applies to the eastern side yard of Lot 61. Permitted accessory structures are exempt from this condition but are not exempt from Development Code and Building Code standards governing accessory structures. (Planning Division/JF)
10. Building setbacks shall conform to the requirements of the R5 zone, unless alternative setbacks are approved by the Planning Commission and shown on the Dimensioned Site Plan. (Planning Division/JF)
11. The street connections to SW Spaniel Court and SW 141st Avenue are to be blockaded until final occupancy permits have been issued for 75% of the housing units. (Planning Division/JF)

Optional Conditions of Approval:

12. Provide a plan showing all elevations in compliance with the minimum elevation articulation standards of Section 60.35.20.4.D of the Development Code. (Planning Division/JF)

LD2012-0007

A. Prior to issuance of the site development permit, the applicant shall:

1. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div./JJD)
2. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)

3. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD)
4. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality and quantity) facilities, private streets, and common driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./JJD)
5. Submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./JJD)
6. Submit to the City a copy of issued permits or other approvals needed from Washington County for work within, and/or construction access to the Murray Boulevard right of way. The site plan approved by the City for Site Development Permit is to show a southward extension of the existing landscaped median in Murray Boulevard located approximately 500 feet to north. The length and stopping point of this median is to be determined by the County Transportation Engineer. The purpose of the extended median is to remove the existing southbound left-in access to SW Weir Road (on the east side of Murray Boulevard) and to prohibit the ability for vehicles to turn left into SW Weir Road. The signalized intersection at Weir Road and Murray Boulevard is to become the new left-in access with vehicle stacking area at a minimum of 100-feet before the intersection. SW Weir Road (east side of Murray) is to be re-named and restricted to right-in /right-out movement to SW Murray Boulevard. (Site Development Div./JJD)
7. Submit a geotechnical and geo-environmental report with the site development permit application for review and approval by the City Engineer for the site in general and specifically for the stream crossing structure foundations. It shall be prepared by a professional engineer or registered geologist to the specifications of the City Engineer and rules of the Oregon Department of Environmental Quality (DEQ). (Site Development Div./JJD)
8. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD)
9. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div./JJD)
10. Submit a copy of issued permits or other approvals needed from the Clean Water Services District for wetland vegetative corridors, and any construction affecting an

Agency sanitary-sewer trunk main (24 inches in diameter or larger). (Site Development Div./JJD)

11. Submit a completed 1200-C Permit (DEQ/CWS/City Erosion Control Joint Permit) application to the City. The applicant shall use the 2006 plan format per requirements for sites 5 acres or larger adopted by DEQ and Clean Water Services. (For application information and to access the required plan format, see the Tualatin Basin program info at <http://www.cleanwaterservices.org/PermitCenter/PermittingProcess/ErosionControl.aspx> Note: DO not use information from the DEQ; only from this link at CWS).(Site Development Div./JJD)
12. Submit a copy of issued permits or other approvals needed from the State of Oregon Division of State Lands and the United States Army Corps of Engineers (for work within a jurisdictional wetland). (Site Development Div./JJD)
13. Provide a final detailed drainage analysis of the subject site and prepare a report prepared by a professional engineer meeting the standards set by the City Engineer with the site development permit application. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site. It shall include a specific analysis up to the 100-year event of flows onto and from the site. The plans shall clearly demark the 100 year flood elevation and safe overflow path(s) for the proposed conditions to the ultimate discharge point on the Summer Creek tributary south of Spaniel Court. Construct flow control measures as needed on the inlet and outlet culverts as determined and approved by the City Engineer. (Site Development Div./JJD)
14. Provide construction plans that show how each lot will be independently served by utility systems as required by the City Engineer and City Building Official per City standards. Any extra-capacity water, sanitary, and storm water facility improvements, as defined and determined by the City Utilities Engineer, shall be eligible for system development charge credits to be assigned to lots within the subdivision. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer. Sheet flow of surface water from one lot's paved area to another lot's paved area shall not be considered a direct plumbing service. (Site Development Div./JJD)
15. Submit a design for the retaining walls surrounding, adjacent, and within the street crossing area designed by a civil engineer or structural engineer for the expected hydrological conditions. These retaining walls shall be watertight for all areas of earthen fill or where deemed necessary by the City Engineer. Additionally, these walls shall be designed as poured-in-place, reinforced, 4000 PSI, portland cement concrete with cobblestone face texturing, or a City Engineer approved equivalent. (Site Development Div./JJD)
16. Submit a revised grading plan showing that each lot has a minimum building pad elevation that is at least one foot higher than the maximum possible high water elevation (emergency overflow). Additionally, a minimum finished floor elevation that is at least three feet higher than the maximum possible high water elevation shall be

established for each new building lot and documented on the plans for those lots adjacent to the drainage way or affected by an overflow. This land-use approval shall provide for minor grade changes less than four vertical feet variance to comply with this condition without additional land-use applications, as determined by the City Engineer and City Planning Director. (Site Development Div./JJD)

17. Submit to the City a certified impervious surface determination of the proposed project's net new impervious area proposed for any common areas and private streets prepared by the applicant's engineer, architect, or surveyor. Any home demolition is credited at one equivalent surface unit (2640 square feet). The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces as a total for the common areas and private streets. In addition, specific types of impervious area totals, in square feet, shall be given for parking areas and driveways, sidewalk and pedestrian areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surface, the new impervious surface area created, and total final impervious surface area on the entire site and individual lots/tracts. (Site Development Div./JJD)
18. Pay a storm water system development charge in-lieu of constructing an on-site storm water quality (summer treatment) facility in the amount as determined by the City Engineer for this development's share needed to construct a regional, off-site storm water treatment facility. (Site Development Div./JJD)
19. Pay a storm water system development charge (overall system conveyance) for the net new impervious area proposed for any common areas or private streets. (Site Development Div./JJD) (Site Development Div./JJD)
20. Provide plans for street lights (Option C unless otherwise approved by the City Public Works Director) and for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. The existing overhead lines along the Weir Road frontage shall be undergrounded or as otherwise determined by the City Engineer. Any Option A Street lights along the Weir Road frontage shall be replaced by Option C street lights with illumination levels to be evaluated per City Design Manual requirements (Section 450). (Site Development Div./JJD)
21. Provide plans showing a City standard commercial driveway apron (may be modified to have six foot wings) at the intersection of any private, common driveway and a public street. (Site Development Div./JJD)
22. Provide plans showing grade separated sidewalk on private drive 'A'. Grade separation may be made with a wedge style curb or other as approved by the City Engineer. (Site Development Div./WP)
23. The applicant shall submit the joint use and maintenance agreement documentation as outlined in the Engineering Design Manual Section 210.13.M to the City Engineer for approval. (Transportation/LP)

24. The applicant shall submit a revised tentative subdivision plan with the following modifications, or shall receive approval for an Engineering Design Modification from the Public Works Director: (Transportation/LP)
- a. A new collector street that connects SW Weir Road west of SW Murray Boulevard to SW Weir Road east of SW Murray Boulevard. The collector street shall be designed according to Standard Drawing No. 101(2 Lanes) of the Beaverton Engineering Design Manual. The collector improvements shall include the existing portion of SW Weir Road south of proposed Street "B". At the intersection of SW Murray Boulevard and the new collector, a third lane shall be added to accommodate a left turn lane. All curb radii (at Street "A" and Street "B", and Street "B" and SW Weir Road) included in the revised collector street design shall meet the 35 mph design of the Engineering Design Manual.
 - b. All proposed local streets (Streets "B" south of "A", "C", "D", "E", "F", "G", and "H") designed according to Standard Drawing No. 103 (either L1, L2, L3 or a combination). All curb radii included in the revised local street plan shall meet the 25 mph design of the Engineering Design Manual.
25. FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE: Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (12 feet for up to two dwelling units and accessory buildings), and an unobstructed vertical clearance of not less than 13 feet 6 inches. Where fire apparatus roadways are less than 26 feet wide, "NO PARKING" signs shall be installed on both sides of the roadway and in turnarounds as needed. Where fire apparatus roadways are more than 28 feet wide but less than 32 feet wide, "NO PARKING" signs shall be installed on one side of the roadway and in turnarounds as needed. Where fire apparatus roadways are 32 feet wide or more, parking is not restricted. (OFC 503.2.) *The fire district does not endorse the design concept wherein twenty feet of unobstructed roadway width is not provided.* (TVF&R/JF)
26. FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS: Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet. (OFC D103.1) *Reposition fire hydrants to meet this requirement.* (TVF&R/JF)
27. NO PARKING SIGNS: Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Roads 26 feet wide or less shall be posted on both sides as a fire lane. Roads more than 26 feet wide to 32 feet wide shall be posted on one side as a fire lane. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6) *Signs are required in accordance with City street design standards.*(TVF&R/JF)
28. SURFACE AND LOAD CAPACITIES: Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and

- 60,000 pounds live load (gross vehicle weight). You may need to provide documentation from a registered engineer that the design will be capable of supporting such loading. (OFC D102.1) (TVF&R/JF)
29. Turning radii must be shown in compliance with TVF&R standards on the submitted plans (28' inner and 48' outer turning radii). (TVF&R/JF)
30. GRADE: Fire apparatus access roadway grades shall not exceed 10 percent. Intersections and turnarounds shall be level (maximum 5%) with the exception of crowning for water run-off. When fire sprinklers are installed, a maximum grade of 15% may be allowed. The approval of fire sprinklers as an alternate shall be accomplished in accordance with the provisions of ORS 455.610(5). (OFC 503.2.7 & D103.2) *The fire district does not support fire department access roads in excess of 10% without fire sprinkler systems.* (TVF&R/JF)
31. SINGLE FAMILY DWELLINGS - REQUIRED FIRE FLOW: The minimum available fire flow for single family dwellings and duplexes served by a municipal water supply shall be 1,000 gallons per minute. If the structure(s) is (are) 3,600 square feet or larger, the required fire flow shall be determined according to IFC Appendix B. (OFC B105.2) *Prior to issuance of a building permit, provide evidence of a current fire flow test of the nearest fire hydrant demonstrating available flow at 20 PSI residual pressure.* (TVF&R/JF)
32. REFLECTIVE HYDRANT MARKERS: Fire hydrant locations shall be identified by the installation of reflective markers. The markers shall be blue. They shall be located adjacent and to the side of the centerline of the access road way that the fire hydrant is located on. In case that there is no center line, then assume a centerline, and place the reflectors accordingly. (OFC 510.1) (TVF&R/JF)
33. PHYSICAL PROTECTION: Where fire hydrants are subject to impact by a motor vehicle, guard posts, bollards or other approved means of protection shall be provided. (OFC 507.5.6) (TVF&R/JF)
34. CLEAR SPACE AROUND FIRE HYDRANTS: A 3 foot clear space shall be provided around the circumference of fire hydrants. (OFC 507.5.5) (TVF&R/JF)
35. ACCESS AND FIRE FIGHTING WATER SUPPLY DURING CONSTRUCTION: Approved fire apparatus access roadways and firefighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 1410.1 & 1412.1) (TVF&R/JF)
36. KNOX BOX: A Knox Box for building access is required for this building. Please contact the Fire Marshal's Office for an order form and instructions regarding installation and placement. (OFC 506.1) (TVF&R/JF)
37. PREMISES IDENTIFICATION: Buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet numbers. Numbers shall be a minimum of 4 inches high with a ½ inch stroke. (OFC 505.1) (TVF&R/JF)

38. **ANGLE OF APPROACH AND DEPARTURE:** The angles of approach and departure for fire apparatus roads shall not exceed 8 Degrees. (OFC 503.2.8, NFPA 1901) (TVF&R/JF)
39. A demolition permit is required for the removal of the existing building(s). A plumbing permit is required for removal, abandonment and capping of a septic tank or sewer line. If a septic tank exists, it shall be pumped out and filled in with sand or gravel or completely removed. An inspection shall be obtained from the plumbing inspector after the tank is filled or removed. A copy of the receipt from the pumping company shall be provided. If the building is connected to the public sanitary sewer system, the building's sewer shall be capped off at the property line and inspected by the plumbing inspector. (BC 8.02.035, Section 105, OSSC; Section 722, OPSC) The removal of existing buildings on the property may provide credits towards some system development (SDC) fees such as water, sanitary sewer, impervious surface, and traffic. (Building/BR)
40. Resolve design and/or conflicts with refuse disposal/recycling hauler that would preclude adequate service of refuse and recycling containers for all units of the development. (Planning Division/JF)
41. Ensure that all associated applications, including Sidewalk Design Modification, Conditional Use, Land Division, and Tree Plan have been approved and are consistent with the submitted plans. (Planning Division/JF)
42. Ensure adequate turn-around space is provided at the terminus of Drive "A" of sufficient size to accommodate garbage service vehicles and ambulances. (Planning Division/JF)
43. The applicant shall show compliance with all transportation mitigation measures as described in the memo from Kittleson & Associates, Inc, dated July 19, 2012. (Planning Division/JF)

B. Prior to final plat approval, the applicant / developer shall:

44. Have commenced construction of the site development improvements to provide minimum critical public services to each proposed lot (access graded, cored and rocked; wet utilities installed) as determined by the City Engineer and to allow for verification that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. (Site Development / JJD)
45. Show granting of any required on-site easements on the plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div./JJD)

46. Submit an application for a Street Name Change for the portion of SW Weir Road to the west of the new street alignment. (Planning Division/JF)
47. Demonstrate all lots meet ordinance standards for lot size, dimension and frontage. The final plat shall be fully dimensioned and indicate the square footage of each lot. (Planning Division/JF)
48. Provide written assurance to the Planning Division that each and every lot is buildable without variance under City Ordinances effective as of the date of preliminary plat approval. Tracts and other parcels not proposed for development shall also be listed with a statement of their purpose. (Planning Division/JF)
49. Pay all City liens, taxes and assessments or apportion to individual lots. Any liens, taxes and assessments levied by Washington County shall be paid to them according to their procedures. (Planning Division/JF)
50. Submit a completed Land Division Agreement form to provide assurance that all the conditions of approval shall be met and that the development will be constructed in accordance with City requirements. (Planning Division/JF)
51. Submit a Final Land Division Application. In accordance with Section 50.90 of the Development Code, submittal of a complete final land division application shall be made within 24 months after preliminary plat approval, unless a time extension is approved. (Planning Division/JF)
52. Identify all improvements within tracts and public rights-of-ways and specify the maintenance responsibilities of those improvements. (Planning Division/JF)
53. Provide a street name shown on the site development plans identical with those on the Final Plat, and street name signs shall not be installed prior to final plat approval. (Planning Division/JF)

C. Prior to building permit issuance, the applicant shall:

54. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
55. Have substantially completed the site development improvements as determined by the City Engineer, including streetlights being fully functional. (Site Development Div./JJD)
56. Have placed underground all existing overhead utilities and any new utility service lines within the project and along any existing street frontage, as determined at site development permit issuance. (Site Development Div./JJD)
57. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./JJD)
58. Pay a storm water system development charge (overall system conveyance) for the net new impervious area proposed. (Site Development Div./JJD)

D. Prior to release of performance security, the applicant shall:

59. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJD)
60. Submit any required on-site easements not already dedicated on the subdivision plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div./JJD)
61. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the vegetation within the construction disturbed or sediment affected areas surrounding or within the surface water quality facility, vegetated corridor, and the common use areas, as determined by the City Engineer. If the plants are not well established (as determined by the City Engineer) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record and landscape architect (or wetland biologist) that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City prior to release of the security. (Site Development Div./JJD)

E. Prior to final inspection of any building permit, the applicant shall:

62. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are missing, damaged, deteriorated, or removed by construction along the house frontage. (Site Development Div./JJD)
63. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD)
64. Obtain a Finaled Washington County Facility Permit. (Washington County/Naomi Vogel)

SDM2012-0003

1. Ensure that all associated applications, including Sidewalk Design Modification, Conditional Use, Land Division, and Tree Plan have been approved and are consistent with the submitted plans. (Planning Division/JF)

TP2012-0007

1. In accordance with Section 50.90.1 of the Development Code, Tree Plan approval shall expire 2 years after the date of approval unless, prior to that time, a construction permit has been issued and substantial construction pursuant thereto has taken place, or an application for extension has been filed, pursuant to Section 50.93 of the Development Code, or authorized development has otherwise commenced in accordance with Section 50.90.3.B of the Development Code. (Planning Division/JF)
2. Ensure that all associated applications, including Sidewalk Design Modification (SDM2012-0003), Conditional Use (CU2012-0008) and Land Division (LD2012-0007) have been approved and are consistent with the submitted plans. (Planning Division/JF)
3. All pruning must comply with the City's adopted Tree Planting and Maintenance Policy. (Planning Division/JF)
4. The applicant must comply with the tree protection provisions of Section 60.60.20 of the Development Code, unless modified in agreement with the City Arborist. Plans showing compliance with these standards, including placement or orange tree fencing shall be provided prior to Site Development Permit issuance. (Planning Division/JF)
5. At the conclusion of the construction the applicant shall submit a report showing which Community Trees were kept, which were damaged or destroyed, and which were removed. (Planning Division/JF)